

REMARKS

The Applicants thank the Examiner for the careful consideration of this application and for the interview with Examiners Szekeley and Pyon on April 7, 2010. Claims 1 and 3-18 are currently pending in this application. Claim 1 has been amended according to the recommendation made during the Interview of April 7, 2010 and referenced in the Interview Summary dated April 8, 2010. If this amendment is inconsistent with the Examiner's proposal, the Examiner is invited to telephone Applicants' representative to make an appropriate correction. Based on the foregoing amendments and the following remarks, the Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Claim Rejection – 35 U.S.C. § 112

On page 2, the Office Action rejects claims 1 and 3-18 under 35 U.S.C. § 112 second paragraph as allegedly indefinite. Claim 1 has been amended to state "a vinyl acetate content of 10 to 40 weight%," rendering the rejection moot. Applicants respectfully request the rejection be withdrawn.

Claim Rejection – 35 U.S.C. § 103(a)

On pages 2-4, the Office Action rejects claims 1 and 3-18 under 35 U.S.C. § 103(a) as allegedly unpatentable over Brehmer et al. (US 4,717,496), Goldberg (US 6,475,619), or British Shoe Machinery Ltd. (WO 04/03211), in view of Gaku et al. (US 4,820,769), Oien (US 5,525,663), or Lees et al. (US 2006/121225) with Reith (US 4,939036) as evidence.

In the interview with the Examiners on April 7, 2010, Applicants discussed these rejections. The Examiner recommended a formal amendment to claim 1 to state "ethylene vinyl acetate copolymers present in amounts of up to 25 weight %." Applicants have further amended claim 1 to use consistent language for other components. Based on the interview with the Examiners, Applicants believe the rejections have been overcome, and request the claims be indicated allowable.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

The Commissioner is authorized to charge any deficiency in any patent application processing fees pursuant to 37 CFR § 1.17, including extension of time fees pursuant to 37 CFR § 1.17(a)-(d), associated with this communication and to credit any excess payment to Deposit Account No. 22-0261.

Dated: April 27, 2010

Respectfully submitted,

Electronic signature: /Keith G. Haddaway/
Keith G. Haddaway, Ph.D.
Registration No.: 46,180
Michael E. Nelson, Ph.D.
Registration No.: 64,115
VENABLE LLP
P.O. Box 34385
Washington, DC 20043-9998
(202) 344-4000
(202) 344-8300 (Fax)
Attorney/Agent For Applicant